



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,244	09/27/2001	Kevin Dotzler	09752-135001	5162

27572 7590 09/16/2005

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. BOX 828  
BLOOMFIELD HILLS, MI 48303

EXAMINER

ENG, GEORGE

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/966,244	<b>Applicant(s)</b> DOTZLER, KEVIN	
	<b>Examiner</b> George Eng	<b>Art Unit</b> 2643	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. This Office action is in response to the amendment filed 6/28/2005.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gligoric (US PAT. 6,751,316) in view of Lin (US PAT. 6,597,786).

Regarding claim 1, Gligoric discloses a method of operating a telephone circuit (1, figure 2) comprising the step of determining whether a headset (7, figure 2B) is connected to the telephone circuit (col. 2 lines 37-52), wherein a headset microphone (13, figure 2B) and a handset microphone share a bias circuit (21, figure 2A and col. 2 lines 8-19). Gligoric differs from the claimed invention in not specifically teaching the step of disconnecting the handset microphone when the headset microphone is connected. However, Lin teaches a headset connection detecting system (A, figure 1) for detecting whether a headset is plugged into a telephone unit or not, and disabling a handset, i.e., disconnecting a second microphone, when a headset is detected to be connected, i.e., a first microphone is connected, in order to make user

Art Unit: 2643

friendly so that it allows easy selecting and switching between hand-free and headset operating modes (col. 2 line 66 through col. 3 line 8). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Gligoric in having the step of disconnecting the handset microphone when the headset microphone is connected, as per teaching of Lin because it makes user friendly.

Regarding claims 2-3, Lin discloses the step of disconnecting the handset microphone by opening a single pole, single throw switch (F, figure 1).

Regarding claim 4, Gligoric discloses the step of detecting a bias current to determine whether the headset microphone is connected (col. 2 lines 37-40).

Regarding claims 5-6, Gligoric discloses the headset microphone being a first microphone and the handset microphone being a second microphone (figure 2).

Regarding 7, Lin teaches the step of connecting the handset microphone to the telephone circuit when the headset microphone is disconnected (col. 3 lines 29-44).

Regarding claim 8, Gligoric teaches a headset detector circuit being connected to the output of microphone bias circuit (col. 2 lines 37-40), so that one skill in the art would recognize Gligoric teaching the step of determining the first microphone is disconnected by sensing a lack of bias current.

Regarding claim 9, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 10, the limitations of the claim are rejected as the same reasons set forth in claims 2-3.

Art Unit: 2643

Regarding claims 11-12, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claim 14, the limitations of the claim are rejected as the same reasons set forth in claim 8.

Regarding claim 15, Gligoric teaches a headset detector circuit being connected to the output of microphone bias circuit (col. 2 lines 37-40), so that one skill in the art would recognize Gligoric teaching the first microphone is detected by sensing a current flowing to a connection point for the first microphone.

Regarding claim 16, the limitations of the claim are rejected as the same reasons set forth in claim 15.

Regarding claim 17, Gligoric discloses a telephone switch comprising a microphone amplifier (23, figure 2A), a first and second microphones (3 and 13, figure 1) connected to the microphone amplifier, and a bias circuit (21, figure 2A) connected between the microphone amplifier and the first and second microphones (col. 3 lines 8-52). Gligoric differs from the claimed invention in not specifically teaching a switch connected between the bias circuit and the first microphone, a first bias current flowing to the first microphone phone when the switch is in an on position, and a second bias current flowing to the second microphone when the switch is in an off position. However, Lin teaches a switch (E, figure 1) connected between an amplifier and a first microphone (C1, figure 1), a first bias current flowing to the first microphone (C1, figure 1) when the switch in an on position, and a second bias current flowing to the second

Art Unit: 2643

microphone (D1, figure 1) when the switch is in an off position (col. 2 line 66 through col. 3 line 8), thereby making user friendly so that it allows easy selecting and switching between hand-free and headset operating modes. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Gligoric in having the switch connected between the bias circuit and the first microphone, a first bias current flowing to the first microphone when the switch is in an on position, and a second bias current flowing to the second microphone when the switch is in an off position, as per teaching of Lin because it makes user friendly.

Regarding claim 18, the limitations of the claim are rejected as the same reasons set forth in claim 17.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

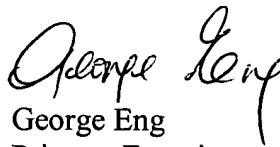
#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Muza et al. (US PAT. 6,608,905) discloses a microphone bias current measurement circuit (abstract). Lee (US PAT. 6,574,341) discloses a hand-free switch device for a wireless intercom having a switching means for switching between reception and emission states (abstract). Kim et al. (US PAT. 6,397,087) discloses a device for controlling the connection of a built-in type ear-microphone (abstract).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
Primary Examiner  
Art Unit 2643